

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOHN J. AQUINO,
Chapter 7 Trustee,
by his assignee, Convergent
Distributors of Texas, LLC,

Plaintiff-Counter-Defendant,

-v-

ALEXANDER CAPITAL, LP, and its
Managing Partners:
JOSEPH AMATO,
ROCCO GUIDICIPIETRO, and
NESA MANAGEMENT, LLC,

Defendants-Counter-Claimants.

21-cv-1355 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.:

On February 1, 2024, the Court ordered plaintiff to pay defendant \$45,337.50 in attorney's fees as a sanction pursuant to Federal Rule of Civil Procedure 37 (e)(1). See Dkt. 230. That payment was to be made by no later than March 1, 2024. Plaintiff has now requested permission to deposit the amount of that attorney's fee award with the Court pursuant to Federal Rule of Civil Procedure 67, pending resolution of plaintiff's appeal of that award. That application is hereby granted and the Clerk of the Court is authorized to receive the payment. The deadline for plaintiff to make such payment is hereby extended; plaintiff shall deposit such payment by no later than noon on March 4, 2024.

SO ORDERED.

New York, NY
March 1, 2024


JED S. RAKOFF, U.S.D.J.